Case 2:04-cr-20471-JPM Document 95 Filed 09/02/05 Page 1 of 2 PageID 105

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

FILED BY ULD D.C.

05 SEP -2 PM 5: 26

THOMAS M. GOULD CLERK, U.S. DISTRICT COURT W/D OF THE MEMPHES

UNITED STATES OF AMERICA

Plaintiff

VS.

CR. NO. 04-20471-D

NAKECIA PORTER

Defendant.

ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY AND <u>SETTING</u>

This cause came on for a change of plea hearing date on September 2, 2005.

At that time, counsel for the defendant requested a continuance of the September 6, 2005 trial date to allow counsel additional time to review the proposed plea agreement.

The Court granted the request and reset the trial date to October 3, 2005 with a change of plea hearing/ report date of Thursday, September 22, 2005, at 10:45 a.m., in Courtroom 3, 9th Floor of the Federal Building, Memphis, TN.

The period from September 16, 2005 through October 14, 2005 is excludable under 18 U.S.C. § 3161(h)(8)(iv) because the ends of justice served in allowing for additional time to prepare outweigh the need for a speedy trial.

IT IS SO ORDERED this **2nd** day of September, 2005.

BERNICE B. DONALD

UNITED STATES DISTRICT JUDGE





Notice of Distribution

This notice confirms a copy of the document docketed as number 95 in case 2:04-CR-20471 was distributed by fax, mail, or direct printing on September 8, 2005 to the parties listed.

Timothy R. DiScenza U.S. ATTORNEY'S OFFICE 167 N. Main St. Ste. 800 Memphis, TN 38103

Robert Irby 4345 E. Mallory Memphis, TN 38111

Honorable Bernice Donald US DISTRICT COURT